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Overview of Sexual Victimization of Children

REPRINT: Adapted from *Child Molesters: A Behavioral Analysis (4th ed.)*, (2001)
National Center for Missing & Exploited Children

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The "Witch Hunt," the "Backlash," and Professionalism

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Overview of Sexual Victimization of Children

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Children

OVERVIEW

In order to understand and investigate allegations of what constitutes "acquaintance" molestation, it is important to have a historical perspective of society's general attitudes about sexual victimization of children. A brief synopsis of these attitudes in the United States is provided here in order to give a context to this discussion. That context, hopefully, will help investigators better understand some of the problems and investigative difficulties encountered in these cases.

In the United States, society's historical attitude about sexual victimization of children can generally be summed up in one word: **denial**. Most people do not want to hear about it and would prefer to pretend that such victimization just does not occur. Today, however, it is difficult to pretend that it does not happen. Stories and reports about child sexual abuse and exploitation are daily occurrences. Investigators dealing with sexual victimization of children must recognize and learn to address this denial. They must try to overcome it and encourage society to address, report, and prevent the sexual victimization of children.

A complex problem such as the sexual victimization of children can be viewed from the three major perspectives of personal, political, and professional. The personal perspective encompasses the emotional--how the issues affect individual needs and wants. The political perspective encompasses the practical--how the issues affect getting elected, obtaining funding or pay, and attaining status and power. The professional perspective encompasses the rational and objective--how the issues affect sexually victimized children and what is in their best interest. Often these perspectives overlap or are applied in combination. Because most of us use all three, sometimes which perspective is in control may not be clear.

The personal and political perspectives tend to dominate emotional issues like sexual victimization of children. The personal and political perspectives are reality and will never go away. In fact many positive things can and have been achieved through them (e.g., attention, adequate funding, equipment, manpower). In general, however, sexually victimized children need more people addressing their needs from the professional perspective and fewer from the personal and political perspectives.

In their zeal to overcome denial or influence opinion, some individuals allow the personal or political perspectives to dominate by exaggerating or misrepresenting the problem. Presentations and literature with poorly documented or misleading claims about one in three children being sexually molested, the \$5 billion child-pornography industry, organized child slavery rings, and 50,000 stranger-abducted children are still common. The documented facts in the United States are bad enough and need no embellishment. True professionals, when communicating about

the problem, should clearly define their terms and then consistently use those definitions unless indicating otherwise. Professionals should understand and cite reputable and scientific studies, noting the sources of information. Operational definitions for terms (e.g., child, pedophile, sexual exploitation) used in cited research should be clearly expressed and not mixed to distort the findings. Once someone is caught using distorted or misleading information and labeled an extremist, people may not listen to what he or she says no matter how brilliant or profound. When the exaggerations and distortions are discovered, the credibility of those people and the issue are diminished.

"Stranger Danger"

Especially during the 1950s and 1960s, the primary focus in the limited literature and discussions on sexual victimization of children was on "stranger danger"--the dirty old man in the wrinkled raincoat approaching an innocent child at play. If one could not totally deny the existence of child sexual victimization, one could describe the victimization in simplistic terms of good and evil. The investigation and prevention of this "stranger danger" are more clear-cut. We immediately know who the good and bad guys are, what they look like, and that the danger is external.

During this time the FBI distributed a poster that epitomized this attitude. It showed a man, with his hat pulled down, lurking behind a tree with a bag of candy in his hands. He was waiting for a sweet little girl walking home from school alone. At the top it read, "Boys and Girls, color the page, memorize the rules." At the bottom it read, "For your protection, remember to turn down gifts from strangers, and refuse rides offered by strangers." The poster clearly contrasts the evil of the offender with the goodness of the child victim. When confronted with such an offender the advice to the child is simple and clear--say no, yell, and tell.

The myth of the typical child molester as the dirty old man in the wrinkled raincoat has been reevaluated based on what we have learned about the kinds of people who sexually victimize children. The fact is child molesters can look like anyone else and even be someone we know and like.

The other part of this myth, however, is still with us, and it is far less likely to be discussed. It is the myth of the typical child victim as a completely innocent young girl walking down the street minding her own business. It may be more important to confront this part of the myth than the part about the evil offender especially when addressing the sexual exploitation of children and acquaintance child molesters. Child victims can be boys as well as girls, and older as well as younger. Not all child victims are "little angels." They are, however, human beings.

Society seems to have a problem dealing with any sexual-victimization case in which the adult offender is not completely "bad" or the child victim is not completely "good." The idea that child victims could simply behave like human beings and respond to the attention and affection of offenders by voluntarily and repeatedly returning to an offender's home is a troubling one. It confuses us to see the victims in child pornography giggling or laughing. At professional conferences on child sexual abuse, child prostitution is rarely discussed. It is the form of sexual victimization of children most unlike the stereotype of the innocent victim. Child prostitutes, by definition, participate in and sometimes initiate their victimization. Child prostitutes and the participants in exploitation cases involving multiple victims are frequently boys. A therapist once told me that a researcher's data on child molestation were "misleading" because many of the child victims in question were child prostitutes. This seems to imply that child prostitutes are not "real" child victims. Whether or not it seems fair, when adults and children have sex, the child is **always** the victim.

Although no longer the primary focus of sexual-victimization-of-children literature and training, stranger danger still maintains a disproportionate concern for society.

Intrafamilial Child Sexual Abuse

During the 1970s and 1980s society began to learn more about the sexual victimization of children. In my opinion this was primarily as a result of the women's movement. We began to realize that someone they know who is often a relative--a father, stepfather, uncle, grandfather, older brother, or even a female family member--sexually molests most children. Some mitigate the difficulty of accepting this by adopting the view that only family members of socioeconomic groups other than their own commonly engage in such behavior.

It quickly became apparent that warnings about not taking gifts or rides from strangers were not good enough to realistically try to prevent most child sexual abuse. Consequently we began to develop prevention programs based on more complex concepts such as "good touching" and "bad touching," the "yucky" feeling, and the child's right to say no. These are not the kinds of things that can be easily and effectively communicated in 50 minutes to hundreds of kids of varying ages packed into a school auditorium. These are difficult issues, and prevention programs must be carefully developed and evaluated.

By the 1980s child sexual abuse for many professionals had become almost synonymous with incest, and incest meant father-daughter sexual relations; therefore, the focus of child-sexual-abuse intervention and investigation turned to one-on-one, father-daughter incest. Even today a large portion of training materials, articles, and books on this topic refer to child sexual abuse only in terms of intrafamilial, father-daughter incest.

Incest is, in fact, sexual relations between individuals of any age too closely related to marry. It need not, however, necessarily involve an adult and a child, and it goes beyond child sexual abuse. But more importantly child sexual abuse goes beyond father-daughter incest. Intrafamilial incest between an adult and child may be the most common form of child sexual victimization, but it is not the only form.

The progress of the 1970s and 1980s in recognizing that child sexual victimization was not simply a result of "stranger danger" was an important breakthrough in dealing with society's denial. The battle, however, is not over. The persistent voice of society luring us back to the simpler concept of "stranger danger" never seems to go away.

Acquaintance Child Molestation

Today, for many child advocates and professionals in the field (*i.e.*, prosecutors, social workers, investigators) the sexual victimization of children still means one-on-one intrafamilial sexual abuse. Although they are certainly aware of other forms of sexual victimization of children, when discussing the problem in general their "default setting" (*i.e.*, that which is assumed without an active change) always seems to go back to children molested by family members. For the public the "default setting" seems to be stranger abduction. To them child molesters are sick perverts who physically overpower children and violently force them into sexual activity.

The often forgotten piece in the puzzle of the sexual victimization of children is acquaintance molestation. This seems to be the most difficult manifestation of the problem for society and the law to face. People seem more willing to accept a sinister stranger from a different location or father/stepfather from a different socioeconomic background as a child molester than a clergy member, next-door neighbor, law-enforcement officer, pediatrician, teacher, or volunteer with direct access to children. The acquaintance molester, by definition, is one of us. He is not just an external threat. We cannot easily distinguish him from us or identify him by physical traits. These kinds of molesters have always existed, but society and the criminal-justice system have been reluctant to accept the reality of these cases. When such an offender is discovered in our midst, a common response has been to just move him out of our midst, perform damage control, and then try to forget about it. Sadly one of the main reasons that the criminal-justice system and public were forced to confront the problem of acquaintance molestation was the preponderance of lawsuits arising from the negligence of many prominent organizations.

One of the unfortunate outcomes of society's preference for the "stranger-danger" concept has a direct impact on the investigation of many acquaintance-exploitation cases. It is

what I call, "say no, yell, and tell" guilt. This is the result of societal attitudes and prevention programs that tell potential child victims to avoid sexual abuse by saying no, yelling, and telling. This might work with the stranger lurking behind a tree. Children who are seduced and actively participate in their victimization, however, often feel guilty and blame themselves because they did not do what they were "supposed" to do. These seduced and, therefore, compliant victims may feel a need to sometimes describe their victimization in more socially acceptable but inaccurate ways that relieve them of this guilt. Except for child prostitution, most sexual-exploitation-of-children cases in the United States involve acquaintance molesters who rarely use physical force on their victims.

Advice to prevent sexual exploitation of children by adult acquaintances is complex and more difficult to implement. How do you warn children about pedophiles who may be their teachers, coaches, clergy members, or neighbors and whose only distinguishing characteristics are that they will treat the children better than most adults, listen to their problems and concerns, and fill their emotional and physical needs? Will parents, society, and the criminal-justice system understand when the victimization is discovered or disclosed? Much prevention advice simply does not distinguish to which types of sexual victimization it applies. The right to say "no" would be applied differently to a stranger, parent, or teacher.

Although stranger, intrafamilial, and acquaintance child molesters have been described here as seemingly separate and distinct offenders, reality is not so simple. Who is a stranger, a family member, or an acquaintance should all be viewed on a continuum. The concept of who exactly is a "stranger" is not always clear-cut and obvious. It can range from someone never seen before and unknown, to someone seen but nameless, to someone named but unknown, to someone named and slightly known, to someone known from the Internet but never seen, and anyone in between. Every acquaintance offender started as a "stranger" the first time he met any potential child victim. In addition an offender molesting children to whom he is an acquaintance can also molest children to whom he is a stranger. He might utilize the services of a child prostitute who may or may not know him. The "intrafamilial" molester can range from the biological father, to the stepfather, to mom's live-in boyfriend, to mom's roommate. An intrafamilial offender can molest children other than his own. He may be either a stranger or an acquaintance to these additional victims. Most acquaintance child molesters use their occupations, hobbies, neighborhoods, or online computers to gain access to child victims; however, in addition to or in lieu of these methods, some romance or marry women who already have children. Such molesters may technically be intrafamilial offenders, but dynamically they are not. An acquaintance molester can be a neighbor the child sees every day or friend the child regularly communicates with on the Internet but sees for the first time when they finally meet in person.

In this publication the determination of who is an "acquaintance" child molester, therefore, will be based more on the process and dynamics of the child victimization and less on the technical relationship between the offender and child victim. Stranger offenders can use trickery to initially lure their child victims, but tend to control them more through confrontation, threats of force, and physical force. Intrafamilial offenders tend to control their victims more through their private access and family authority. Acquaintance child molesters, although sometimes violent, tend to control their victims through the grooming or seduction process. This process not only gains the victim's initial cooperation, but also decreases the likelihood of disclosure and increases the likelihood of ongoing, repeated access. Acquaintance offenders with a preference for younger victims (younger than 12) are more likely to also have to spend time seducing the potential victim's parents or caretakers to gain their trust and confidence. An acquaintance molester who uses violence is more likely to be quickly reported to law enforcement. An acquaintance molester who seduces his victims can sometimes go unreported for 30 years or more.

The acquaintance child molester might get involved in "abduction", usually by not allowing a child he knows and has seduced to return home. He may wind up abducting or not returning this child easily linked to him because he wants or needs the child all to himself away from a judgmental society. Such missing children often voluntarily go with the offender. Abducting or running away with a child with whom you can be linked is high-risk criminal behavior. Investigators can more easily identify this abductor and therefore find the missing child.

Peers who are acquaintances also sexually victimize many adolescents. In order for sexual activity between peers to be a prosecutable crime, it would usually have to involve lack of consent in some form. This is a significant and overlooked problem. The focus of this publication, however, will **not** include adolescents sexually victimized by acquaintances who are peers.

The sexual victimization of children by family members and "strangers" are serious and significant problems. This publication, however, will focus on the problem of sexual exploitation of children by adult acquaintances. It will provide insight into the two sides of this relatively common, but poorly understood, type of child victimization. The first side involves understanding the predatory, serial, and usually extrafamilial, acquaintance offenders who sexually exploit children through seduction and/or the collection, creation, or distribution of child pornography. With increasing frequency such offenders are also using online computers and traveling to underdeveloped countries to facilitate their sexual activity with children.

The second side involves understanding the child victims as human beings with needs, wants, and desires. Child victims cannot be held to idealistic and superhuman standards of behavior. Their frequent cooperation in their victimization must

be viewed as an understandable human characteristic that should have no criminal-justice significance. In theory the law recognizes their developmental limitations and affords them with special protection. The repeated use, however, of terms such as "rape," "sexual violence," "assault," "attack," "sexually violent predator," and "unwanted sexual activity," when discussing or inquiring about the sexual exploitation of children assumes or implies in the minds of many that all child victims resist sexual advances by adults and are then overpowered by coercion, threats, weapons, or physical force. Although cases with these elements certainly exist, when adults and children have sex, lack of "consent" can exist simply because the child is legally incapable of giving consent. Whether or not the child resisted, said no, and was overpowered are, therefore, not necessarily elements in determining if a crime has occurred. Understanding this is especially problematic for the public (*i.e.*, potential jurors) and professionals (*i.e.*, physicians, therapists) who lack specialized training in criminal law and may not rely on strict legal analysis.

Both halves of this form of sexual exploitation of children must be recognized, understood, and addressed if these cases are going to be effectively investigated and prosecuted. The sad reality is, however, that such behavior does have significance in the perception of society and "real world" of the courtroom.

Society's lack of understanding and acceptance of the reality of acquaintance molestation and exploitation of children often results in

1. failure to disclose and even denial of victimization
2. incomplete, inaccurate, distorted disclosures when they do happen
3. lifetime of victim shame, embarrassment, and guilt
4. offenders with numerous victims over an extended period of time
5. ineffective prevention programs that also make the first four problems even worse

This publication hopes to address and improve this situation for the benefit of the victims, investigators, and prosecutors. While society has become increasingly more aware of the problem of the acquaintance molester and related problems such as child pornography, the voice calling the public to focus only on "stranger danger" and many child-abuse professionals to focus only on intrafamilial sexual abuse still persists. Sexual-exploitation cases involving acquaintance molesters present many investigative challenges, but they also present the opportunity to obtain a great deal of corroborative evidence and get solid convictions.

DEFINITIONS

NEED

In the last chapter a variety of terms were used and deliberately left undefined in order to make a point. Many of these terms are thought to be basic and are, therefore, frequently not defined. Both nonprofessionals and professionals use them regularly.

Seeming disagreements and differences of opinion are often the result of confusion over definitions. Some say that pedophiles can be treated, and others claim that they cannot. Some say there is a connection between missing children and child pornography, and others say there is not. Some people say that communities should be notified when sex offenders move into a neighborhood, others say it is an unproductive violation of privacy. This is not simply a matter of a difference of opinion.

Referring to the same thing by different names and different things by the same name frequently creates confusion. For example the same 15-year-old individual can be referred to as a(n) "baby," "child," "youth," "juvenile," "minor," "adolescent," "adult," or (as in one forensic psychological evaluation) "underage adult." A father who coerces, a violent abductor, an acquaintance who seduces, a child-pornography collector, or an older boyfriend can all be referred to as a "child molester" or "pedophile."

In written and spoken communication definitions are crucial to understanding. The problem is that when we use basic or common terms, we rarely define them. What is the difference between the sexual abuse of children and sexual exploitation of children? What is the difference between child molestation and child rape? What does it mean to someone who reads in the newspaper that a child was the victim of "indecent assault," a child was "sodomized," or an offender was convicted of "indecent liberties" with a child?

Terms such as "sexual exploitation of children and youth" or "sexual exploitation of children and adolescents" imply that a youth or an adolescent is not a child. At what age does a child become a youth or adolescent? If such a person is sexually victimized, is that considered youth molestation or sexual abuse of adolescents?

Although many recognize the importance of definitions, a major problem is the fact that many terms do not have one universally accepted definition. They have different meanings on different levels to different disciplines. For example the dictionary or lay person's definition of a "pedophile" is not the same as the psychiatric definition in the *Diagnostic and Statistical Manual of Mental Disorders*, 4th edition, Text Revision, commonly referred to as the *DSM-IV-TR* (American Psychiatric Association, 2000). Legal definitions may not be the same as societal attitudes. The definition problem is most acute when professionals from different disciplines come together to work or communicate about the sexual victimization of children. Definitions are **less** important when investigating and prosecuting cases and **more** important when discussing, researching, and

writing about the nature and scope of a problem. This publication is an example of the latter.

The important point, then, is not that these terms have or should have only one definition but that people using the terms should communicate their definitions, whatever they might be and then **consistently** use those definitions. In order to alert investigators to potential confusion and clarify the intended meaning, below is a discussion of some key terms as used in this publication.

DEFINING THE TERMS USED

Sexual Victimization of Children

The term sexual victimization of children is used as the broadest term to encompass all the ways in which a child can be sexually victimized. Under this umbrella term are the wide variety of forms of sexual victimization such as **sexual abuse of children, sexual exploitation of children, sexual assault of children, and sexual abduction of children**. Many professionals do not deal with or do not realize the wide diversity of ways that children can be sexually victimized. More importantly they may not recognize how these forms of victimization are alike and unlike.

Sexual Exploitation of Children

The term sexual exploitation of children is difficult to precisely define. This difficulty is usually addressed by giving examples instead of a definition. It means different things to different people. For some it implies a commercial or monetary element in the victimization. For many, including the United States federal government, it often implies sexual victimization of a child perpetrated by someone other than a family member or legal guardian. It is contrasted with the term "sexual abuse" of children, which is used most often to refer to one-on-one intrafamilial abuse.

As used in this publication sexual exploitation of children refers to forms of victimization involving significant and complex dynamics that go beyond an offender, a victim, and a sexual act. It includes victimization involving sex rings, child pornography, the use of computers, sex tourism, and child prostitution. Other than child prostitution, the exploitation does not necessarily involve commercial or monetary gain. In fact, in the United States, child pornography and sex-ring activity most often result in a net financial loss for offenders. Cases of sexual exploitation of children may involve intrafamilial offenders and victims, although this is not typical. Depending on definitions it could be argued that all sexually abused children are exploited, but not all sexually exploited children are abused. For example a child who has been surreptitiously photographed in the nude has been sexually exploited but not necessarily sexually abused.

Child prostitution is a significant and often ignored aspect of sexual exploitation. Due to its complexity and the narrow focus of this publication, child prostitution will not be discussed here in any detail. This should in no way be interpreted as meaning that child prostitution is not a serious problem or form of sexual victimization and exploitation of children.

Sexual Activity

Defining "sexual activity" is not as easy as many people think. Is a sex crime determined by the motivation for the acts or specific acts performed? Sexual victimization of children can run the gamut of "normal" sexual acts from fondling to intercourse; however, looking solely at the nature of the acts performed does not necessarily solve the problem. Seemingly "sexual" behaviors (*i.e.*, vaginal or anal intercourse) can be in the service of nonsexual needs and may, in fact, be more motivated by power and/or anger. This is why it is often said that rape, a crime involving obvious sexual activity, is not a sex crime but a crime of violence. Obviously such acts may still be considered sexual assaults by the law even if they were motivated by nonsexual needs.

Sex can also include deviant sexual acts involving behavior such as sadomasochism, bondage, urination, and defecation. A sexual act for one person might not be a sexual act for another, or it might not be illegal. Some would argue, therefore, that a sex crime is one motivated by sexual gratification.

Some acts can be sexual acts if you can prove the intent or motivation of the individual. Are kissing, hugging, or appearing naked in front of a child sexual acts? Are giving a child an enema, taking a child's rectal temperature, having a child spit in a cup, or cutting a child's hair sexual acts? Are a physical examination by a doctor, hands-on wrestling instructions by a coach, or photographing a child playing dead sexual acts? It is common for child molesters when interviewed to admit their acts but deny the intent (*i.e.*, "I was demonstrating a wrestling hold with the child." "I was taking measurements for a study on adolescent growth." "It was part of an initiation ceremony.>"). All these acts could be sexual acts if you could prove the intent was for sexual gratification. Seemingly "nonsexual" behavior can be in the service of sexual needs.

How does an investigator prove intent or motivation? Can a crime have more than one motivation? Can we determine motivation from the offender? We know that offenders are more reluctant to admit sexual motives than other types of motives (*e.g.*, profit, revenge, anger, power). Does the offender always know his motivation? Potential ways to address this problem will be discussed later in this publication.

It is important for investigators to realize that some acts may not be crimes even if they can prove they were done for sexual gratification. Photographing children on the playground,

tape recording the belching of boys, or listening to children urinate in a public bathroom can be sexual acts for some individuals, but they are most likely not crimes.

Other acts involve societal and cultural judgments. Do allowing children to watch adults have sex or gain access to pornography constitute child sexual abuse or child neglect? Should artists, photographers, and therapists have special privileges under child-pornography statutes? Can a high-quality artistic photograph taken with an expensive camera and printed on expensive paper still be child pornography? Is it child abuse to ask a child to reenact sexual abuse the child has described? Is it a crime to photograph the reenactment? Is burning a child's genitals with a lit cigarette physical abuse, sexual abuse, or both? Does it ever matter? Yes, the specific motivation might have important investigative or prosecutive significance in some cases.

Investigators and prosecutors obviously must look to the law to determine what is a sex offense and the elements of the offense. Some states allow wider latitude in looking at motivation to determine what is a sex crime. In any case, when evaluating the significance and relevance of offender behavior and children's allegations, investigators should always consider **both** the activity and its motivation.

Child

There clearly can be a conflict between the law and society when it comes to defining a child. Sympathy for victims is inversely proportional to their age and sexual development. Many people using the term sexual abuse of **children** have a mental image of children 12 or younger. The main problem, therefore, is with the 13- to 17-year-old age group. Those are the child victims who most likely look, act, and have sex drives like adults, but who may or may not be considered children under some laws and by society. Pubescent teenagers can be viable sexual targets of a much larger population of sex offenders. Unlike one-on-one intrafamilial sexual abuse in which the victim is most often a young female, in many sexual-exploitation cases the victim is a boy between the ages of 10 and 16.

Under federal law a sexually explicit photograph of a mature-looking 16-year-old girl or boy is legally child pornography. Such photographs are not, however, what most people think of when they think of child pornography. This again reflects the problem of definitions. Arguments about child pornography, such as whether it is openly sold or of interest only to pedophiles, may be primarily the result of confusion over its definitions.

Adolescents are frequently considered and counted by child advocates as children in order to emphasize the large scope of the child-victimization problem. But then little or nothing said or done about addressing the problem seems to apply to the reality of adolescent victims. If adolescents are considered child victims of sexual exploitation, then their needs,

interests, and desires must be realistically recognized and understood when addressing the problem.

Legal definitions of who is considered a child or minor vary from state-to-state and even statute-to-statute when dealing with adolescent victims. During a prosecution, the definition can even vary from count-to-count in the same indictment. The age of the child may determine whether certain sexual activity is a misdemeanor or felony and what degree felony. Issues such as whether the victim consented or whether the offender was a guardian or caretaker can have important legal significance. Sixteen year olds may be able to consent to have sex with the man down the street, but not with their father or schoolteacher. It is unclear to me how the law evaluates consent when dealing with a 14-year-old boy seduced by a 55-year-old adult. The easiest way for an adult to have sex with a child and come under no legal scrutiny is to marry the child. The age and circumstances under which a child can marry an adult also vary from state-to-state.

To determine who is a child, investigators and prosecutors must again turn to the law. The penal code will legally define who is a child or minor. But they must still deal with their own perceptions as well as those of the jury and society as a whole. In general a child will be defined here as someone who has not yet reached his or her eighteenth birthday. One of the problems in using this broad, but sentimentally appealing, definition of a child is that it lumps together individuals who may be more unlike than alike. In fact 16 year olds may be socially and physically more like 26-year-old young adults than 6-year-old children.

Paraphilia

Paraphilias are psychosexual disorders defined for clinical and research purposes in the *Diagnostic and Statistical Manual of Mental Disorders*, 4th edition, Text Revision (DSM-IV-TR) (American Psychiatric Association, 2000). They are defined there as recurrent, intense, **and** sexually arousing fantasies, urges, **or** behaviors that generally involve nonhuman objects, the suffering or humiliation of oneself or one's partner, **or** children or other nonconsenting persons, **and** that occur over a period of at least six months. Better known and more common paraphilias include exhibitionism (exposure), fetishism (objects), frotteurism (rubbing), pedophilia (child), sexual masochism (self pain), sexual sadism (partner pain), and voyeurism (looking). Less known and less common paraphilias include scatologia (talk), necrophilia (corpses), partialism (body parts), zoophilia (animals), coprophilia (feces), klismaphilia (enemas), urophilia (urine), infantilism (baby), hebephilia (female youth), ephebophilia (male youth) and theoretically many others.

In the real world each of the paraphilias typically has slang names (e.g., "big baby," "golden showers," "S&M"), an industry that sells related paraphernalia and props (e.g., restraining devices, dolls, adult size baby clothing), a support

network (e.g., North American Man/Boy Love Association or NAMBLA, Diaper Pail Fraternity, Internet newsgroups and chat rooms), and a body of literature (e.g., pornography, newsletters). In fact the paraphilias are the organizational framework or the "Dewey Decimal System" of pornography, obscenity, adult bookstores, and Internet sex chat rooms.

Individuals can and frequently do have more than one of these paraphilias. Paraphilias are psychosexual disorders and not types of sex crimes. They may or may not involve criminal activity. Individuals suffering from one or more of these paraphilias can just engage in fantasy and masturbate, or they can act out their fantasies legally (e.g., with consenting adult partners or objects), or they can act out their fantasies illegally (e.g., with nonconsenting partners or underage partners). It is their choice. In addition not everyone committing a sex offense has a paraphilia. Their behavior patterns may be criminal, but not fit the specific diagnostic criteria of a paraphilia.

MO and Ritual

On an investigative level the presence of paraphilias often means highly repetitive and predictable behavior patterns focused on specific sexual interests that go well beyond a "method of operation" (MO). The concept of an MO--something done by an offender because it works and will help him get away with the crime--is well known to most investigators. MO usually involves patterns of behavior intended to ensure success, protect identity, and facilitate escape. An MO is fueled by thought and deliberation. Most offenders change and improve their MO over time and with experience.

The repetitive behavior patterns of some sex offenders can and do involve some MO, but are more likely to also involve the less-known concept of sexual ritual. Sexual ritual is the repeated engaging in an act or series of acts in a certain manner because of a sexual need; that is, in order to become fully aroused and/or gratified, a person must engage in the act in a certain way. If repeated often enough during sexual activity, some aspects of the MO of sex offenders can, through behavioral conditioning, become part of the sexual ritual. Other types of ritual behavior can be motivated by psychological, cultural, or spiritual needs or some combination. Unlike an MO, ritual is necessary to the offender but not to the successful commission of the crime. In fact, instead of facilitating the crime, ritual often increases the odds of identification, apprehension, and conviction because it causes the offender to make need-driven mistakes.

Sexual ritual and its resultant behavior are determined by erotic imagery, are fueled by fantasy, and can often be bizarre in nature. Most important to investigators, offenders find it difficult to change and modify their psychological, cultural, spiritual, or sexual ritual, even when their experience tells them they should or they suspect law-enforcement scrutiny. The

ritual patterns of sex offenders have far more significance as prior and subsequent like acts than the MO of other types of offenders. Understanding sexual ritual is the key to investigating certain sex offenders. The courts in this country have, however, been slow to recognize and understand the difference between MO and ritual.

From an investigative point of view it is not always easy to distinguish between MO and ritual. Every morning putting on your shoes and socks is a noncriminal/nonsexual example of MO. It serves a practical, functional purpose. Every morning putting on your right sock, then your right shoe, hopping once, then putting on your left sock, then your left shoe is a noncriminal/nonsexual example of ritual. It serves only a psychological need. Depending on the offender's intention, blindfolding or tying up a victim could be either MO or ritual. Tying up someone so they cannot resist or escape is MO. Tying up someone for sexual gratification is called bondage and is ritual. The ability to interpret this distinction is in the detailed analysis of the behavior. Investigators must, therefore, keep an open mind and continually accumulate and evaluate even the small details of offender physical, sexual, and verbal behavior.

Child Molester

The term child molester is fairly common and used by professionals and nonprofessionals alike including law-enforcement officers. Although *Webster's New World Dictionary* defines molest as "annoy, interfere with, or meddle with so as to trouble or harm," it has generally come to convey sexual activity of some type with children.

In spite of its common usage, it is surprising how many different images and variations of meanings the term child molester has for different individuals. For many it brings to mind the image of the dirty old man in a wrinkled raincoat hanging around a school playground with a bag of candy waiting to lure little children. For some the child molester is a stranger to his victim and not a father having sex with his daughter. For others the child molester is one who exposes himself to or fondles children without engaging in vaginal or anal intercourse. Still others believe the child molester is a nonviolent offender. Some differentiate between nonviolent child "molesters" who coax or pressure the child into sexual activity and violent child "rapists" who overpower or threaten to harm their victims. Most would probably not apply the term child molester to a man who utilizes the services of an adolescent prostitute. For law-enforcement officers, the term child molester is more likely to conform to various legal definitions of sexual molestation set forth in the penal code.

For the purposes of this publication a child molester will be defined as a significantly older individual who engages in any type of sexual activity with individuals legally defined as children. When using only the term "child molester," no distinctions will be made between male and female, single and

repeat offenders, or violent and nonviolent offenders. No distinctions will be made as to whether the child victims are prepubescent or pubescent, known or unknown, related or unrelated to the offender. Finally no distinctions will be made based on the type of sexual activity engaged in by the offender. Although such distinctions may have important legal and evaluation significance, they have no bearing on whether or not an individual is labeled a child molester. In this publication a child molester is simply a significantly older individual who engages in illegal sexual activity with children.

How much older is "significantly older"? Clearly, in many cases, the dynamics of the case may be more important than simply the chronological age of the individuals. There are, however, some working guidelines. The rule of thumb that psychiatrists and others use is that there must be an age difference of five years. There are, however, cases in which the age difference is less than five years and yet the sexual behavior seems to fit the power-abuse dynamics of child sexual exploitation. There are also cases in which the age difference is greater than five years, but the behavior does not seem to fit the dynamics. One of the most difficult cases to evaluate is that involving a younger and an older adolescent—for example a 13-year-old girl and a 19-year-old boy. It is more than five years' difference, but is it child sexual exploitation? What does the law say? What does society say? As previously stated the focus of this publication will not include adolescents sexually victimized by acquaintances who are clearly peers.

A central theme of this publication is to emphasize the "big-picture" approach to investigation. In short a reported case of a 12-year-old child molester requires an investigation of more than just the reported crime. Many people have the idea that the cycle of abuse only means that child victims grow up and become adult offenders. It can also mean that the same individual is both a victim and offender at the same time. For example say that a man sexually molests a 13-year-old boy. The 13-year-old boy goes home and molests his 7-year-old brother. The 7-year-old brother then molests the baby his mother is babysitting. The investigation of the last activity should lead back to the first crime.

Pedophile

Although the use of the term child molester is commonplace, publicity and awareness concerning sexual victimization of children has resulted in increasing use of the term pedophile. In the *DSM-IV-TR*, pedophilia is classified as a paraphilia, one of the psychosexual disorders. It is important for investigators to understand that the *DSM-IV-TR* diagnostic criteria for pedophilia require that there be recurrent, intense, **and** sexually arousing fantasies, urges, **or** behaviors involving **prepubescent** children, generally **age 13** or younger. The absence of **any** of the key criteria could technically eliminate the diagnosis. For example an individual who has a strong preference for and repeatedly engages in sex with large numbers of 14 year olds

could correctly be evaluated by a mental-health professional as **not** a pedophile. In spite of this some mental-health professionals continue to apply the term to those with a sexual preference for pubescent teenagers. In addition reaching puberty is a complex phenomenon that does not occur overnight or during everyone's thirteenth year.

The terms hebephilia and ephebophilia (*i.e.*, sexual preference for pubescent children) are not specifically mentioned in the *DSM-IV-TR* and are used far less often, even by mental-health professionals. They are, however, being increasingly used in forensic evaluations submitted to the court by defendants attempting to minimize their sexual behavior with teenagers. If you can be a hebephile, then you can have a mental disorder but not be a pedophile, and you may be able to confuse the court. Although sexual attraction to pubescent children by adults has the obvious potential for criminal activity, it does not necessarily constitute a sexual perversion as defined by psychiatry.

Technically pedophilia is a psychiatric diagnosis that can be made only by qualified psychologists or psychiatrists. For many, therefore, the word is a diagnostic term, not a legal one. At one time the term pedophile was almost exclusively used by mental-health professionals. Today many people, including the media, routinely refer to those who sexually abuse children as pedophiles. The term pedophile is also being used more and more by law enforcement and prosecutors. It has even entered their slang usage--with some talking about investigating a "pedo case" or being assigned to a "pedo squad." Although people in the United States most often pronounce the "ped" in "pedophilia" as the "ped" in "pedestrian" (from the Latin for foot), the correct pronunciation is "ped" as in "pediatrician" (from the Greek for child).

This increasing use has to some degree brought this term outside the exclusive purview of psychiatric diagnosis. Just as someone can refer to another as being "paranoid" without implying a psychiatric diagnosis or assuming psychiatric expertise, a social worker, prosecutor, or law-enforcement officer can refer to an individual who has sexually victimized a child as a pedophile. *Webster's New Collegiate Dictionary* contains a good layperson's definition for pedophilia: "sexual perversion in which children are the preferred sexual object."

For the purposes of this publication the term "pedophile" when used will be defined as a significantly older individual who **prefers** to have sex with individuals legally considered children. Pedophiles are individuals whose erotic imagery and sexual fantasies focus on children. They do not settle for child victims, but, in fact, clearly prefer to have sex with children. The law, not puberty, will determine who is a child.

It is important to realize that to refer to someone as a pedophile is to say only that the individual has a sexual preference for children. It says little or nothing about the

other aspects of his character and personality. To assume that someone is not a pedophile simply because he is nice, goes to church, works hard, is kind to animals, helps abused children, reports finding child pornography on the Internet to law enforcement, and/or searches for missing children is absurd. Pedophiles span the full spectrum from saints to monsters. In spite of this fact, over and over again pedophiles are not recognized, investigated, charged, convicted, or sent to prison simply because they are "nice guys." One of the best indicators of the continuing lack of understanding of the nature of pedophilia is that the media and society still view as a contradiction the fact that someone could be a caring, dedicated teacher (e.g., clergy member, coach, doctor, children's volunteer) and sexually victimize a child in his care. The vast majority of dedicated schoolteachers are not pedophiles, but many pedophiles who become schoolteachers are dedicated teachers.

It is also important to recognize that while pedophiles **prefer** to have sex with children, they can and do have sex with adults. Adult sexual relationships are more difficult for some pedophiles than for others. Some pedophiles have sex with adults as part of their effort to gain or continue their access to preferred children. For example one might have occasional sex with a single mother to ensure continued access to her children.

The "Witch Hunt," the "Backlash," and Professionalism

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INTRODUCTION

The sexual victimization of children is a highly emotional issue. Publicity and controversy over complex topics such as repressed memory, satanic ritual abuse (SRA), and suggestibility of children have divided and polarized many child advocates, the media, and the American public. Especially in controversial cases, those at one extreme often claim that children are easily manipulated and that the allegations are frequently part of a big "witch hunt" led by overzealous fanatics or incompetent and money hungry "experts." Those at the other extreme often claim that victims do not lie about sexual abuse, that everything alleged happened exactly as alleged, and that protestations to the contrary are part of a powerful "backlash" led by child molesters or those denying the extent and reality of child sexual abuse. The continuing media coverage, movies, articles, and opinions about cases such as the Mc Martin case in Manhattan Beach, California, exemplify this highly polarized controversy.

One problem in discussing this situation is the selection of terms to identify these extremes. I have reluctantly decided to use the terms they call each other: the "witch hunt" and the "backlash." The terms, however, are subjective, judgmental, derogatory, and poorly defined. To address this problem, I will attempt to define the terms as used in this discussion.

The witch hunt is characterized by the tendency to exaggerate child sexual abuse, to emphasize believing the children, and to criticize the criminal justice system only for the lack of investigation or for acquittals. When child sexual abuse is alleged, they assume it has happened and try to prove it.

The backlash is characterized by the tendency to minimize child sexual abuse, to emphasize false allegations, and to criticize the criminal justice system only for aggressive investigation or for convictions. When child sexual abuse is alleged, they assume it has not happened and try to disprove it.

I enjoy the distinction of having been accused of being part of both the witch hunt (a zealot spreading exaggerated stories of child sex rings) and the backlash (a satanist infiltrating the FBI to prevent the uncovering of SRA).

Of course, because of the vagueness of these definitions, nothing said about the witch hunt or backlash is true of all individuals who might be considered members of either group. In describing their characteristics, each extreme is presented as a caricature of itself.

COMMON CHARACTERISTICS

In spite of their profoundly opposing views, the witch hunt and the backlash are very much alike: two sides of the same coin. Some of the characteristics they share are discussed in the following section.

1) Cross labeling. Each side labels and defines the nature and characteristics of the other. Neither side, however, uses this label to identify itself. No one in the witch hunt, for example, believes that he or she is participating in a witch hunt, and no one in the backlash believes that he or she is participating in a backlash. In fact, each side vehemently denies it. Both sides are quick to use the derogatory labels of witch hunt or backlash to refer to the other

side, but resent the use of these terms against them. Most important, each side takes great delight in talking about and criticizing the other.

2) Polarization. Each side tends to take an all-or-nothing approach to complex issues. You are either with them or against them. Dialogue with the other side is consorting with the enemy and constitutes guilt by association and betrayal. Each side disseminates written material and brings together individuals of like beliefs. When someone from the other side is invited to participate, it is primarily as a token to be ridiculed for his or her "absurd" views. Both sides attack anyone who seems to take a position in the middle.

3) Attack the messenger. Each side focuses its attacks and criticism on the person of the messenger rather than on the substance of the message. It is easy to claim (and difficult for the groups to prove otherwise) that the witch hunt is composed of fanatics with personal agendas, antifamily views, and one world government plans or that the backlash is composed of pedophiles and satanists attempting to conceal their activity. One way to personally attack and dismiss the messenger is to simply label him or her as part of the witch hunt or backlash.

4) Appeal to emotion. Each side relies heavily on raw emotion and frequently brings forward victims, adult survivors, and falsely accused parents to describe in graphic detail their personal tragedies. In the public debate between emotion and reason, emotion almost always wins. Regardless of intelligence and education, and in spite of common sense and evidence to the contrary, adults tend to believe what they want or need to believe. The greater the need, the greater the tendency. Not many issues are more emotional than sexual victimization of children.

5) Distortion of facts. Each side conveniently fails to define its terminology, or inconsistently uses the terms it does define. When volume is needed, a child is anyone under 18 years old. When impact is needed, a child is under 12 years old. Both sides frequently cite information out of context and selectively quote only that portion of an article that supports their view. They fail to verify information and cannot resist using hearsay, rumor, gossip, myth, and legend. In spite of their well-known inaccuracies, newspaper articles and television tabloid or news magazine programs are often used as prime sources of information. Rarely does either side seek the full and original research. They generalize from a few cases to all cases and make the unusual and atypical seem common and typical. These distortions are now quickly and widely disseminated to eager believers by fax, e-mail, the Internet, and other on-line computer services.

6) Conspiracy theories. Both sides seem to need to believe that the other side is part of a national or international, well-disciplined organization with a carefully orchestrated and implemented master plan and strategy. Any meeting or contact of three or more people with similar views is seen as proof of this conspiracy. They believe their side simply meets, trains, and disseminates information, while the other side conspires, brainwashes, and disseminates propaganda. For some, this conspiracy incorporates the notion they are the special targets of persecution by the other side. They find it difficult to understand that each side, and every group in between, suffers from the same disorganization, dissension, and disagreements. Because it is difficult to prove the negative, it is essentially impossible to disprove these theories. It is only when we are accused of being part of a conspiracy that we know does not exist that we can prove the accusers wrong; however we can prove it only to ourselves.

7) Claim to special knowledge. Those on each side somehow know with absolute certainty the facts of any case. They know things that the investigation, prosecution, and courts cannot determine with certainty. They infallibly know who is guilty and who is innocent. They are certain of this in spite of the fact that most of what they "know" came from gossip, rumors, or media accounts.

8) Selective use of the Criminal Justice System. Each side decides when an investigation, conviction, or acquittal has meaning. Using and citing court decisions only when it suits their purposes, they quote court decisions as proof of their position only if someone they believe is guilty is convicted. If someone they believe is innocent is convicted, then the court decision is irrelevant, ignored, or attacked. If the conviction is overturned on appeal, the court decision is again praised and cited. They also decide for themselves which court orders should be obeyed and which children should be hidden in the "underground" in violation of court orders.

9) Manipulation of and by the media. Both sides aggressively try to influence the media. They will cooperate with any level of the media if they believe their views will be aired and supported. In their zeal to manipulate the media, they forget that the media often manipulate them. The media often fluctuate between witch hunt or backlash stories depending on which way the wind is blowing. Today, backlash stories seem to have the upper hand. But this too will change. Much of the media also seem to gravitate toward emotional rather than professional responses when covering these issues.

10) Self-deception. Both sides believe that they do none of the above and the other side does all of the above. "We" are objective and right. "They" are devious and wrong. Both sides accuse the other of doing these things, but are outraged that someone would accuse them of the same. They cite every example of exaggeration and bias of the other side, but ignore and deny they do the same. Whether an unfair, distorted personal attack by the media is supported and repeated or condemned and protested is determined solely by who is being attacked. Without realizing it, both sides believe, hear, and see what they want to believe, hear, and see.

PROFESSIONALISM

For child sexual abuse interveners concerned about the witch hunt or the backlash, the best approach is not to imitate their tactics but to respond with professionalism. We may not totally agree about what constitutes professionalism; however, most would agree that the following characteristics are consistent with integrity and professionalism.

1) Deal with issues not personalities. Professionals understand that individuals who disagree with them are not necessarily bad or evil. They recognize and admit the merit in the dissenting views of others. Because no one person's views or opinions are unique, professionals minimize the focus on individuals and maximize the discussion of issues. In this article, I have deliberately avoided "naming names" or citing specific detailed examples. This would serve no purpose except to inflame and polarize. Even the use of the terms "witch hunt" and "backlash" is derogatory and should be kept to a minimum. Professionals understand that the extremists on both sides will eventually self-destruct. The extremists will get caught in their distortions and exaggerations, the media will turn on them, and their credibility will be destroyed, which is good reason not to follow their lead.

2) Evaluate hidden agendas. We can examine a complex problem such as the sexual victimization of children from three major perspectives: personal, political, and professional. The personal perspective encompasses the emotional: how the issues affect our individual needs and wants. The political perspective encompasses the practical: how the issues affect our getting elected, obtaining funding or pay, and attaining status and power. The professional perspective encompasses the rational and objective: how the issues affect abused children and what is in their best interest. Often these perspectives overlap or are applied in combination. Because most of us use all three, sometimes which perspective is in control may not be clear.

The personal and political perspectives tend to dominate emotional issues like child sexual abuse. The personal and political perspectives are reality and will never go away. In fact, many positive things can and have been achieved through them. It is my opinion, however, that abused children need more people addressing their needs from the professional perspective and fewer from the personal and political perspectives.

This raises the complex and difficult question of whether individuals with strong political or personal agendas can even be professionals. While many can rise above their direct or indirect victimization and their individual or practical needs, some are deluding themselves in claiming to have done so.

3) Strive for objectivity. Objectivity is most critical for professionals in law enforcement and prosecution. Professionals need to keep an open mind and try to control their emotions. The idealization of children, common at child abuse conferences, fuels emotionalism. Children are not innocent angels from heaven; they are human beings with human needs and flaws. Professionals dealing with child abuse are not the guardian angels of America's children; they are dedicated, hardworking individuals trying to do an important job. This desire to idealize children leads to the question of whether investigators and prosecutors who identify themselves as "child advocates" can claim or appear to be objective fact finders.

As professionals, we cannot assume that someone is guilty just because an allegation is made. We cannot assume that someone is innocent just because he or she is a "pillar of the community" or because the person making the allegation is a young child or a dysfunctional adolescent. Criminal justice professionals must identify or develop fair and objective criteria for evaluating the accuracy of allegations of sexual abuse and for filing charges against the accused. Alternative explanations need to be considered and explored. Neither blindly believing everything in spite of a lack of logical evidence nor simply ignoring what seems impossible and improbable and accepting what seems possible is professional behavior. Avoiding cases because they are complex, difficult, or "bizarre" is not acceptable either.

4) Consider the middle ground. Most complex issues have room for difference of opinion. Reality is often somewhere between the two extremes. Most people would agree that just because one detail in a victim's story turns out to be accurate does not mean that every detail is accurate. But many people seem to believe that if you can disprove one part of a victim's allegation, then the entire allegation is false.

There is a middle ground—a continuum of possible activity. Some of what victims allege may be true and accurate, some may be misperceived or distorted, some may be screened or symbolic, and some may be "contaminated" or false. The problem and challenge, especially

for law enforcement, is to determine which is which. This can only be done through professional and objective investigation. To either totally believe or totally disbelieve everything is always easier than acknowledging the complexity of a situation. One way to defuse extremist attacks is to occasionally admit that in some cases mistakes were made.

5) Critique yourself first. This may be the most difficult responsibility of a professional. It is easier to admit the mistakes of others, especially when admitting your own might expose you to a lawsuit. Professionals should spend more time thinking about what they are doing and less time worrying about what the extremists are doing. We need to make sure our own houses are in order and our information is accurate and reliable before criticizing others. The most effective way to counteract the influence of the witch hunt and the backlash is not to attack them, but to do one's job in a competent, objective, professional manner.

6) Strive to improve knowledge and skills. Professionals recognize the need to grow and improve their knowledge and skills. They read a variety of books and articles, including some that present alternative or different views. They attend seminars and conferences with minds open to a diversity of thoughts and ideas. They engage in honest dialogue with responsible individuals with differing views. Those who listen only to opinions that agree with their own may find it difficult to grow professionally. Professionals try to stay current on the latest research in their fields. They join organizations such as The American Professional Society on the Abuse of Children (APSAC). As its name implies, APSAC should be a model for professional standards and behavior.

7) Evaluate and use information properly. Professionals do not use newspaper articles and television programs as their primary source of information and research findings. Anyone significantly involved in a publicized case knows that many of the details reported in the newspaper or on television are not accurate. Yet we all assume the details of other reported cases are accurate, especially if those details happen to agree with our opinions and beliefs. Professionals should verify original sources of information and properly reference research. For example, although cited again and again, the FBI has not said, nor has it data to support the claim, that one in four females are sexually abused as children. This may or may not be accurate, but the FBI is not the source of this statistic.

Professionals should resist the temptation to overcome denial or influence opinion by exaggerating or misrepresenting the problem. The documented facts are bad enough and need no embellishment. Professionals should clearly define their terms and then consistently use those definitions unless indicating otherwise. Operational definitions for terms (e.g., child, sexual abuse, ritual abuse) used in cited research should be clearly communicated and not mixed to distort findings. Loss of credibility can be devastating. Once someone is caught using distorted or misleading information and labeled an extremist, no one has to listen to what he or she says no matter how brilliant or profound.

SUMMARY

The "backlash" has had both a positive and negative impact on the investigation and prosecution of child sexual abuse cases. In a positive way, it has reminded criminal justice interveners of the need to do their jobs in a more professional, objective, and fact-finding manner. In a negative way, it has cast a shadow over the validity and reality of child sexual

abuse and has influenced some to avoid properly pursuing cases.

Much of the damage caused by the backlash is actually self-inflicted by the witch hunt and by some well-intentioned child advocates. The mistakes of some overzealous interveners and the insistence by a few of the literal accuracy of unfounded bizarre allegations of "satanic ritual abuse" make up the primary fuel that currently runs the backlash and enables it to influence public opinion. On the other hand, the debate over the validity of such grotesque allegations has obscured the well-documented fact that children can be reliable witnesses and that there are child sex rings, bizarre paraphilias, and cruel sexual sadists. Even if only a portion of what these victims allege is factual, it may still constitute significant criminal activity.

Professionals dealing with child sexual abuse must address the legitimate issues raised by the backlash and not just personally "attack the messengers." Professionals must also admit the existence of and address the damage done by the witch hunt. It could be argued that the witch hunt has in fact done more harm to sexually abused children than the backlash has done. In my opinion, the best way to counteract the influence of the backlash and the witch hunt is not to become defensive or imitate their tactics, but rather to recognize the existence of both while simply doing one's job in a professional manner.

To advocate professionalism is not to deny that we can have and express strongly held beliefs and opinions. However, we must carefully consider and evaluate the basis for those beliefs and opinions. The characteristics of professionalism set forth here are difficult to attain, but well worth striving for. To use an emotional argument to defend an objective response, abused children deserve no less than truly professional intervention.